

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.39 (III C3) to permit a rear yard setback of 6 feet in lieu of the required 20 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Due to an increase in family size, additional living space is required.

Placement of the proposed addition is dictated by the availability of existing plumbing and internal layout of the house.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: _____
(Type or Print Name)
Signature _____
Address _____
City and State _____
Attorney for Petitioner: _____
(Type or Print Name)
Signature _____
Address _____
City and State _____
Attorney's Telephone No.: _____

Legal Owner(s): _____
(Type or Print Name)
Signature _____
(Type or Print Name)
Signature _____
Address _____
City and State _____
Name, address and phone number of legal owner, contract purchaser or representative to be contacted: _____
Address _____
City and State _____
Attorney's Telephone No.: _____

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day

of _____, 1987, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ day of _____, 1987, at _____ o'clock

Zoning Commissioner of Baltimore County.

November 18, 1987

Mr. James Arthur MacLeod
902 Fordwood Circle
Catonsville, Maryland 21228
RE: Petition for Zoning Variance
SE/S Fordwood Circle, 134' W of c/l of Craigmont Avenue
1st Election District; 1st Councilmanic District
Case No. 88-167-A

Dear Mr. MacLeod:

Enclosed please find a copy of the amended Order in the above-referenced case. Your Petition for Zoning Variance has been Granted and is subject to the restriction noted in the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal to the County Board of Appeals. For further information on filing an appeal, please contact this office.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
of Baltimore County

AMN:bjs
Enclosures
cc: People's Counsel
File

IN RE: PETITION FOR ZONING VARIANCE
SE/S Fordwood Circle, 134' W of c/l of Craigmont Avenue
(902 Fordwood Circle)
1st Election District
1st Councilmanic District
James Arthur MacLeod
Petitioner

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 88-167-A

AMENDED ORDER

On November 12, 1987 an order was issued in the above-captioned case granting the Petitioner a variance to permit a rear yard setback of 14 feet in lieu of the required 20 feet.

The original Petition requested a variance to permit a rear yard setback of 6 feet in lieu of the required 20 feet. However, testimony at the hearing indicated the addition would be 14 feet from the rear property line. Thus a variance of 14 feet rather than the originally requested 6 feet is required. On November 13, 1987 the Petitioner's contractor, Paul Hall of Chelsea Contracting Company advised the Deputy Zoning Commissioner that the Petitioner was mistaken about the distance of the addition from the rear property line. In one section, the addition was only 6 feet from the rear. By letter dated November 14, 1987, received in this office on November 16, 1987, the Petitioner stated that a variance of 6 feet was needed.

Pursuant to the advertising, posting of the property, and public hearing held, and after due consideration of the testimony and evidence presented at the hearing and the subsequent letter from the Petitioner dated November 14, 1987, in the opinion of the Deputy Zoning Commissioner, it appears that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioner and his property and therefore, the requested variance should be granted.

IN RE: PETITION FOR ZONING VARIANCE
SE/S Fordwood Circle, 134' W of c/l of Craigmont Avenue
(902 Fordwood Circle)
1st Election District
1st Councilmanic District
James Arthur MacLeod
Petitioner

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 88-167-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit a rear yard setback of 6 feet in lieu of the required 20 feet.

The Petitioner, James Arthur MacLeod, and his fiancée appeared and testified on behalf of the Petition. There were no Protestants.

Testimony established that the subject property is an improved lot zoned D.R. 5.5 on Fordwood Road in Catonsville. The Petitioner testified that the reason for the requested variance is that he is marrying a woman with two children who have scoliosis and who will reside with them. A 20' x 25' addition to the home is proposed, which will include the construction of a new bathroom equipped with a hydro tub and additional bedroom space for the two children. The Petitioner testified that the layout of his lot as well as the location of plumbing requires that the addition be placed at the rear of the house. The Petitioner testified that the addition will be no closer than 14 feet to the rear property line rather than the 6 feet set forth in his petition. The Petitioner further testified that he discussed the matter with his neighbors at 6213 Fordwood who have no objection. The Petitioner indicated he attempted to contact the neighbors at 6207 Fordwood with no success. However, his testimony indicated that due to the location of their home on the lot and landscaping of large fir trees on the property, the proposed addition cannot be seen by the owners of 6207 Fordwood without actually walking through the trees to the edge of their property line.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this _____ day of November, 1987 that the order dated November 12, 1987 be and is hereby amended to permit a rear yard setback of 6 feet in lieu of the required 20 feet, and as such, the Petition for Variance is hereby GRANTED, subject, however, to the following:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
of Baltimore County

AMN:bjs

ORDER RECEIVED FOR FILING
Date _____
By _____

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property.
McLean v. Soley, 270 Md. 208 (1973).

It is clear from the testimony that if the variance was granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

Pursuant to the advertising, posting of the property, and public hearing held, in the opinion of the Deputy Zoning Commissioner, it appears that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioner and the requested variance should be granted, in part.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this _____ day of November, 1987 that a variance to permit a rear yard setback of 14 feet in lieu of the required 20 feet, be and is hereby GRANTED, subject, however, to the following:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
of Baltimore County

AMN:bjs

ORDER RECEIVED FOR FILING
Date _____
By _____

PETITION FOR ZONING VARIANCE

1st Election District - 1st Councilmanic District

Case No. 88-167-A

LOCATION: Southeast Side of Fordwood Circle, 134 feet West of Centerline of Craigmont Avenue (902 Fordwood Circle)

DATE AND TIME: Wednesday, November 4, 1987, at 9:00 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variance to permit a rear yard setback of 6 feet in lieu of the required 20 feet

Being the property of _____, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

J. ROBERT HAINES
ZONING COMMISSIONER
OF BALTIMORE COUNTY

Property Description

Beginning on the southeast side of Fordwood Circle 50 feet wide, at the distance of 134 feet west of the centerline of Craigmont Avenue (intersection). Being parts of lots No. 2 and 3, Block C, in the subdivision of Westview Park, Book No. 24, Folio 110. Also known as 902 Fordwood Circle in the 1st E.D.

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 1st Date of Posting 12/1/87
Posted for: Variance
Petitioner: James Arthur MacLeod
Location of property: SE/S Fordwood Circle, 134' W of Craigmont Ave.
902 Fordwood Cir.
Location of Sign: SE/S Fordwood Cir., 134' W of Craigmont Ave.
Approved by: J. Robert Haines
Remarks: _____ Date of return: 12/1/87
Posted by: AMN:bjs
Number of Signs: 1

JUN 1 1988

Mr. James Arthur MacLeod
902 Fordwood Circle
Catonsville, Maryland 21228

RE: Petition for Zoning Variance
SE/S Fordwood Circle, 134' W of c/l of Craigmont Avenue
1st Election District; 1st Councilmanic District
Case No. 88-167-A

Dear L. MacLeod:

Pursuant to the recent hearing held on the subject case, please be advised that your Petition for Zoning Variance has been Granted, in part, and is subject to the condition noted in the attached Order.

In the event the decision rendered is unfavorable to you, please be advised that you may file an appeal to the County Board of Appeals. For further information on filing an appeal, please contact this office.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
of Baltimore County

AWB:bjb
Enclosures

cc: People's Counsel

File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mrs. J. Robert Haines, Zoning Commissioner
FROM: Mr. Norman E. Gerber, AICP, Director
Office of Planning and Zoning
SUBJECT: Zoning Petitions No. 88-152-A, 88-153-A, 88-154-A, 88-155-A, 88-156-A, 88-157-A, 88-158-A, 88-159-A, 88-160-A, 88-161-A, 88-162-A, 88-163-A, 88-164-A, 88-165-A, 88-166-A, 88-167-A, 88-168-A, 88-169-A, 88-170-A, 88-171-A, 88-172-A, 88-173-A, 88-174-A, 88-175-A, 88-176-A, 88-177-A, 88-178-A, 88-179-A, 88-180-A, 88-181-A, 88-182-A, 88-183-A, 88-184-A, 88-185-A, 88-186-A, and 88-187-A.

There are no comprehensive planning factors requiring comment on the above numbered petitions.

Norman E. Gerber, AICP, Director
Office of Planning and Zoning

NEG/jh/jat
cc: Ms. Shirley M. Hess, Legal Assistant, People's Counsel
File

RECEIVED
OCT 28 1987

ZONING OFFICE

J. A. MacLeod
902 Fordwood Cir.
Catonsville, Md. 21228
Case No. 88-167-A

14 Nov. 1987

Petition for Zoning Variance

Sir,
I have made a mistake, my petition for variance should state that the planned addition will come to six feet of the property line. The Plat Map provided accurate information my inexperience led to my misinterpretation of what was actually required.

James A. MacLeod
(301) 386-7778

I have verified the
above statement.
Paul M. Hall
Chesapeake Contracting Co

RECEIVED
NOV 16 1987

ZONING OFFICE



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3333

J. ROBERT HAINES
ZONING COMMISSIONER

October 29, 1987

Mr. James A. MacLeod
902 Fordwood Circle
Catonsville, Maryland 21228

RE: PETITION FOR ZONING VARIANCE
SE/S Fordwood Circle, 134' W of c/l of Craigmont
Ave. (902 Fordwood Circle)
1st Election District - 1st Councilmanic District
James Arthur MacLeod - Petitioner
Case No. 88-167-A

Dear Mr. MacLeod:

This is to advise you that \$69.31 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit to Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner

JRH:med

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 37982

DATE: 11/16/87 ACCOUNT: P-01-615-000

SIGN & POST RETURNED AMOUNT \$ 69.31

Mr. James A. MacLeod, 902 Fordwood Circle, Catonsville, Md. 21228

RECEIVED FROM: ADVERTISING & POSTING COSTS RE CASE 88-167-A

FOR: B B017*****593114 EC44F

VALIDATION OR SIGNATURE OF CASHIER

Office of PATUXENT

Publishing Company
10750 Little Patuxent Pkwy.
Columbia, MD 21044

October 20 19 87

THIS IS TO CERTIFY, that the annexed advertisement of

PETITION FOR ZONING VARIANCE

was inserted in the following:
☒ Catonsville Times \$20.35 ☐ Booster Weekly
☐ Arbutus Times ☐ Owings Mills Flier
☐ Reporter Weekly ☐ Towson Flier

weekly newspapers published in Baltimore County, Maryland
once a week for one successive weeks before
the 17 day of October 19 87, that is to
say, the same was inserted in the issues of

October 15, 1987

PATUXENT PUBLISHING COMPANY
By [Signature]

Mr. James A. MacLeod
902 Fordwood Circle
Catonsville, Maryland 21228

October 2, 1987

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
SE/S Fordwood Circle, 134' W of c/l of Craigmont
Ave. (902 Fordwood Circle)
1st Election District - 1st Councilmanic District
James Arthur MacLeod - Petitioner
Case No. 88-167-A

TIME: 9:00 a.m.

DATE: Wednesday, November 4, 1987

PLACE: Room 106, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

CERTIFICATE OF PUBLICATION

TOWSON, MD, Oct 15 19 87

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., appearing on
Oct 15, 19 87

THE JEFFERSONIAN,

[Signature]
Publisher

PETITION FOR
ZONING VARIANCE
1st Election District
1st Councilmanic District
Case No. 88-167-A
LOCATION: Southeast side of
Fordwood Circle, 134' West of
Craigmont Avenue
(902 Fordwood Circle)
DATE AND TIME: Wednesday,
November 4, 1987 at 9:00 a.m.
PUBLIC HEARING: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland
The Zoning Commissioner of Bal-
timore County, by authority of the
Zoning Act and Regulations of Bal-
timore County, will hold a public
hearing:
Petition for Zoning Variance to
permit a new yard setback of 6 feet in
case of the proposed 20 feet
setback of the property of James Ar-
thur MacLeod, as shown on plat
plan filed with the Zoning Office.
In the event that the following is
granted, a hearing person may be
heard within the thirty (30) day ap-
peal period. The Zoning Com-
missioner will, however, entertain any
request for a stay of the measure of
said permit during this period for
good cause shown in writing.
It shall be received in writing by the
date of the hearing set above or
made at the hearing.
By Order of
J. ROBERT HAINES
Zoning Commissioner
of Baltimore County
10726 Oct 15

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 41490
Item 73
DATE: 8-13-87 ACCOUNT: 000-617
AMOUNT: \$ 35.00
RECEIVED FROM: Mr. James A. MacLeod
FOR: [Signature]
B B020*****350011 EC44F
VALIDATION OR SIGNATURE OF CASHIER

IN THE CIRCUIT COURT

FOR BALTIMORE COUNTY, IN EQUITY

Plaintiff

Defendant

vs.

CERTIFICATE OF PUBLICATION OF

